

REMARKS

Claims 1-27 are pending in the application. Claims 1-14 and 22-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over DeRose in view of Balzano; claims 15-21 and 25-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over DeRose/Balzano in further view of Aldridge, and claims 8, 9 and 21 stand objected to because of certain informalities. In light of the above rejections and objections, Applicant has amended claims 1, 4, 6, 8-13, 17-20, 24 and 26 to further distinguish over the cited prior art. Claims 5, 7, 14-16, 21-23, 25 and 27 have been cancelled, and new claims 28-42 have been added to further distinguish over the cited prior art and to further clarify the present invention.

The Examiner has raised objections to claims 8, 9 and 21 for the informalities set forth in paragraph 1 of the Outstanding Office Action dated June 8, 2007. Claim 21 has been cancelled therefore the objections to such claim are rendered moot. The Examiner has indicated that the informalities associated with claims 8 and 9, at line 2, lie in the fact that the word "a" should be changed to - - said - - . Applicant has reviewed pending claims 8 and 9 and respectfully disagrees with the Examiner's proposed correction. Both claims 8 and 9 depend directly from claim 7 which depends directly from claim 1. Claim 8 is directed to a vest whereas claim 9 is directed to a headgear associated with the at least one electrically independent target region. Neither claim 1 nor claim 7 specifically recites that the independent target region, or the first and second items of clothing are a vest or a headgear. As such, there is no antecedent basis in either claim 1 or claim 7 for use of the word - - said - - . Since claim 8 introduces a vest for the first time, based upon claims 1 and 7, and since claim 9 introduces a headgear for the first time, based

upon claims 1 and 7, it is respectfully submitted that use of the word "a" is proper in such case.

If the Examiner disagrees, Applicant will agree to make appropriate corrections via an Examiner's amendment.

Claims 1-14 and 22-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over DeRose in further view of Balzano. The DeRose reference relates to a device and method for detecting application of a force based upon a first layer of electrically conductive material, a second layer of electrically conducted material, first and second conductors electrically coupled respectively to the first and second layers of material, a transmitter connected to the second conductor, and an optional third layer of non-electrically conductive porous material disposed between the first and second layers. As clearly illustrated in Fig. 7, the DeRose device senses the electric charge passing between the conductive layers. When this occurs a signal is transmitted in response to sensing the electric charge passing between the conductive layers and such signal is received by a receiver which emits a human detectable signal in response to the receiving signal. This human detectable signal may be a visually or audibly detectable signal. See, Column 3, Lines 21-24.

Importantly, all independent claims of the present application, namely, claims 1, 13 and 24 have been amended to specifically require that the output from the signal received from the first transmitter be visually displayed on an electronic display wherein the output displayed includes a representation of the actual target region associated with each contestant where a hit is scored, a representation of the actual weapon used by one contestant to score a particular hit against the other contestant, and the elapsed time when a contestant is first hit (newly amended claim 1); or the display includes a representation of the various weapons used by each contestant

to score a hit, a representation of various target areas associated with each contestant for scoring a hit, and a time when one of the contestants is struck by a weapon of the other contestant (newly amended claim 13); or the output includes a representation of each of the different types of weapons used by each contestant to score a hit, a representation of each of the different target regions associated with each contestant where a hit can be scored, a representation of the actual weapon used by one contestant to score a particular hit against the other contestant, and a representation of the actual target region associated with each contestant when a particular hit is scored (newly amended claim 24). None of these displays are disclosed or even suggested in the DeRose reference. In fact, no visual display of any sort is disclosed in the DeRose application.

Also, importantly, independent claim 1 specifically segregates the first item of clothing into at least one electrically independent target region such that when a hit is scored, the specific target region hit is visually displayed on the first indicating device such as the face and torso of the first contestant as illustrated in Fig. 19. Other target areas include the right or left side of the head, the groin, and the back portion of the head. See, Figs. 19-25. Nothing similar to this is disclosed in the DeRose reference.

As clearly illustrated in Figs. 19-25, the electronic display of the present invention visually displays the target region hit, the weapon used, and the elapsed time associated with one or more hits on either a hand-held device (Fig. 18 and claim 4), or on a public scoreboard (claim 32). The weapons used are displayed as icons to include various portions of the left and right fist, hand and foot, or an alphabetic display of the same. See, Figs. 19-25. Here again, nothing similar is disclosed, or even suggested, in the DeRose reference. For these reasons alone, claims 1-14 and 22-24 are clearly and patentably distinguishable over the DeRose reference.

The Examiner has cited the Balzano reference merely to show a second conductive strip of the first item of clothing and a voltage receiving mechanism. It is respectfully submitted that the Balzano reference is directed to a flexible circuit heater adapted to be hand-held as a warmer or to be insertably received within gloves, boots or other wearing apparel of the purpose of heating a specific area. This is not the subject matter of the present invention. Nevertheless, even when the Balzano reference is combined with the DeRose reference, such combination still does not disclose the features recited in the newly amended independent claims 1, 13 and 24. Neither the DeRose reference nor the Balzano reference disclose, or even suggest, visually displaying a representation of the target area hit, a representation of the weapon used to score a particular hit, and the elapsed time when a contestant is first hit. In addition, claim 1 likewise specifically requires that the plurality of first and second electrically conductive strips be formed into at least one electrically independent target region and that a representation of the actual target region associated with each contestant where a hit is scored be displayed on the electronic display of the first indicating device. Here again, this is totally different from anything disclosed in the cited prior art.

Still further, independent claim 13 specifically recites both a first and second indicating device wherein the second indicating device includes a first electronic display capable of visually displaying all of the representations previously discussed. None of the cited prior art references including the DeRose and Balzano references disclose an apparatus to record hits to a contestant engaged in sparring with another contestant wherein two indicating devices are associated with the overall apparatus. As clearly set forth in new claim 38, the first indicating device could include an audio alarm whereas the second indicating device includes the electronic display; or

as set forth in claim 18, the apparatus of claim 13 can include a second electronic display. In this scenario, the first electronic display could be a hand-held device used by judges whereas the second electronic display could be a public scoreboard. Again, nothing similar is disclosed in the DeRose and Balzano references.

Still further, dependent claims 20, 26 and 34 each recite the addition of at least one input device capable of altering input from the first receiver and providing additional functions as recited in claims 20 and 34. These additional functions are disclosed in Fig. 18 and at paragraph 75 of the present application. Here again, nothing similar is disclosed in the DeRose or Balzano references.

Independent claim 24 is a method claim and is patterned after newly amended independent claim 1. Claim 24 recites all of the same displaying functions as recited in independent claim 1.

For all of the reasons set forth above, independent claims 1, 13 and 24 are clearly and patentably distinguishable over the cited DeRose and Balzano references, either alone or in combination. None of these references disclose, or even suggest, the displaying capabilities recited in independent claims 1, 13 and 24 including the use of an electronic display to visually display the target area, weapon used, and time associated with a particular hit.

Claims 15-21 and 25-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the DeRose and Balzano references in further view of the Aldridge reference. The Aldridge reference is cited to show use of a second indicating device as referenced at Fig. 15, paragraph 67. When reviewing Aldridge, paragraphs 67-70, it is apparent that Fig. 15 discloses one electronic display scenario, namely, a public scoreboard 1550. As referenced in paragraph 67,

although scoreboard 1550 is illustrated, circuitry could likewise be embodied into a hand-held device containing the alphanumeric display and a touchpad for use input and control. In other words, Fig. 15 discloses how signals are received from the contestants for display onto the scoreboard 1550 or onto a hand-held device. Importantly, hand-held controller 1505 is merely a controller for a user to control the software/hardware associated with the scoreboard 1550. Controller 1505 is similar to controller 1403 illustrated in Fig. 14C and more fully explained in Paragraph 66 of Aldridge. Controllers 1505 and 1403 are not an electronic display as disclosed in the present application. They merely control the placement and display of the score and penalty points on the scoreboard. No target and weapon icons are associated with controllers 1403 and 1505, nor are they associated with the scoreboard 1550 as explained below.

Also, importantly, the output data displayed on the scoreboard 1550 is set forth in paragraph 70 and is illustrated at 1514 (time between the clash), 1515/1516 (the points scored), 1518/1519 (penalties), and 1517 (time remaining). This visual display is likewise set forth in Fig. 14b. Nowhere in this visual display does the Aldridge display include a representation of each of the different types of weapons used by each contestant to score a hit, a representation of each of the different target regions associated with each contestant where a hit can be scored, a representation of the actual weapon used by one contestant to score a particular hit against the other contestant, or a representation of the actual target region associated with each contestant where a particular hit is scored. Nothing similar to the visual representations disclosed in the present application at Figs. 19-25 and Paragraphs 68-86 are possible with the Aldridge apparatus. For this reason alone, independent claim 13 along with dependent claims 17-20 and independent claim 24 along with dependent claim 26 are clearly and patentably distinguishable over the

Aldridge reference, either alone or in combination with the DeRose and Balzano references. The Aldridge reference does not disclose the same display capabilities as recited in independent claims 13 and 24.

With respect to claim 18, the present apparatus of claim 13 is connected to a second transmitter that sends a signal to a second receiver that is connected to a second electronic display. As a result, claims 13 and 18 require two separate electronic displays. This is not true of the Aldridge reference. The Examiner refers to Fig. 12 of Aldridge for support in rejecting claim 18. Fig. 12 of Aldridge discloses only one transmitter (1216) and only one receiver (1217). As clearly recited in paragraph 62 of Aldridge, Fig. 12 is a diagram illustrating a tone-detecting circuit 1200, the associated RF transmitter 1216, and a scoreboard receiver 1217. Independent claim 13 in combination with claim 18 requires a first indicating device and a second indicating device, a first electronic display associated with the second indicating device, and a second electronic display that is connected to a second receiver. No such combination is disclosed or even suggested by the Aldridge reference.

Still further, in the rejection of claim 21, on page 9 of the Outstanding Office Action, the Examiner states that the DeRose/Balzano references, as modified by Aldridge, teach a weapon icon for the first contestant, an alphabetic representation for a weapon for said first contestant, a target icon for said first contestant, a weapon icon for said second contestant, an alphabetic representation for a weapon for said second contestant, and a target icon for the second contestant (Fig. 14b; Fig. 15 of Aldridge). Clearly, Fig. 14b of Aldridge merely discloses time between hits, score points, penalty points, and time remaining in the match. There is no icon representation for any type of weapon or target area struck by a contestant as clearly disclosed

and claimed in the present application at Figs. 19-25. Paragraphs 72-85 clearly explain all of the various illustrative embodiments of the present invention for displaying how the target area, weapon used and elapsed time for a specific hit are displayed on either a hand-held device and/or a public scoreboard, including how successive hits are likewise displayed. These target regions, target icons, weapon icons, and alphabetic representation for a weapon used are not disclosed, or even suggested, in any of the displays associated with the Aldridge reference, either alone or in any combination with the DeRose and Balzano references. The Examiner's reference to a disclosure for such icons is simply misstated. Only numbers and lights are associated with the electronic display illustrated in Figs. 14b and in Figs. 15 and no icon representation for target area and weapon used are disclosed or even suggested in any of the cited prior art references. For this reason alone, all of the claims of the present application, including independent claims, 1, 13 and 24, are clearly and patentably distinguishable over the DeRose, Balzano and Aldridge references, either alone or in any combination.

Applicant has also amended paragraphs 77, 78 and 84 of the specification to correct obvious errors. No new matter added to the application.

In addition, Applicant is likewise amending Fig. 20 of the present application to correct reference number 478. In Fig. 20, reference number 478 should be - - 428 - - . Here again, no new matter has been added to Fig. 20.

It is now believed that all of the claims pending in the present application, namely, claims 1-4, 6, 8-13, 17-20, 24, 26, and new claims 28-42 contain limitations and restrictions which patentably distinguish them over the cited prior art. None of the cited references, either alone or in any combination, disclose or suggest all of the novel features associated with the present

Application of: Vollmar Jr., Lewis C.
Serial No.: 10/708,358
Amendment A

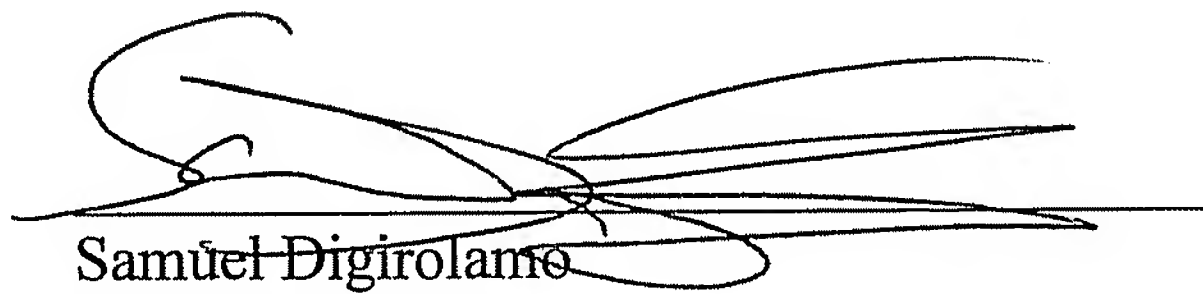
constructions, nor do the prior art constructions provide the specific advantages and objectives obtained by the present devices including visually displaying a representation of the actual target region associated with each contestant where a hit is scored, a representation of the actual weapon used by one contestant to score a particular hit against the other contestant, and, in certain claims, the use of two electronic displays for displaying the above-referenced representations. Favorable action and allowance of the claims is therefore respectfully requested.

Applicant's request for an extension of time under 37 CFR 1.136(a) as well as Applicant's petition fee are enclosed herewith and filed simultaneously with this response.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,

Date: 27 NOV 07


Samuel Digirolamo
Reg. No. 29,915
Blackwell Sanders LLP
720 Olive Street, Suite 2400
St. Louis, MO 63101
314-345-6000
ATTORNEYS FOR APPLICANT